

**NATIONAL RECOVERY ADMINISTRATION**

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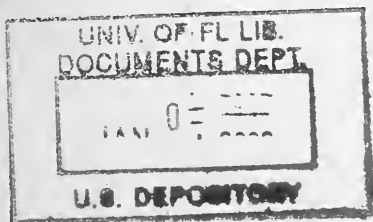
**AMENDMENT TO SUPPLEMENTARY  
CODE OF FAIR COMPETITION**

FOR THE

**HOISTING ENGINE  
MANUFACTURING INDUSTRY**

(A Division of the Machinery and Allied Products Industry)

AS APPROVED ON AUGUST 18, 1934



UNITED STATES  
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AMENDMENT TO SUPPLEMENTARY CODE OF FAIR  
COMPETITION

FOR THE

HOISTING ENGINE MANUFACTURING  
INDUSTRY

As Approved on August 20, 1934

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ORDER

APPROVING AMENDMENT TO SUPPLEMENTARY CODE OF FAIR COMPETITION FOR THE HOISTING ENGINE MANUFACTURING INDUSTRY, A DIVISION OF THE MACHINERY AND ALLIED PRODUCTS INDUSTRY

An application having been duly made pursuant to and in full compliance with the provisions of Title I of the National Industrial Recovery Act, approved June 16, 1933, for approval of an amendment to the Supplemental Code of the Hoisting Engine Manufacturing Subdivision of Machinery and Allied Products Industry, and the annexed report on said amendment, containing findings with respect thereto, having been made and directed to the President:

NOW, THEREFORE, on behalf of the President of the United States, I, Hugh S. Johnson, Administrator for Industrial Recovery, pursuant to authority vested in me by Executive Orders of the President, including Executive Order 6543-A, dated December 30, 1933, and otherwise, do hereby incorporate by reference, said annexed report and do find that said amendment and the Supplemental Code as constituted after being amended comply in all respects with the pertinent provisions and will promote the policy and purposes of said Title of said Act, and do hereby order that said amendment be and it is hereby approved, and that the previous approval of said Supplemental Code is hereby modified to include an approval of said Supplemental Code in its entirety as amended, such approval and such amendment to take effect fifteen (15) days from the date hereof, unless good cause to the contrary is shown to the Administrator before that time and the Administrator issues a subsequent order to that effect.

HUGH S. JOHNSON,  
*Administrator for Industrial Recovery.*

Approval recommended:

BARTON W. MURRAY,  
*Division Administrator.*

WASHINGTON, D.C.,  
*August 18, 1934.*

## REPORT TO THE PRESIDENT

The PRESIDENT,  
*The White House.*

SIR: An application has been duly made pursuant to and in full compliance with the provisions of the National Industrial Recovery Act for an amendment of Article V of the Supplemental Code of Fair Competition for the Hoisting Engine Manufacturing Subdivision of Machinery and Allied Products Industry, by the Code Authority and approved by seventy-five percent of the cooperating employers of that Subdivision.

In order that the Code Authority for the Hoisting Engine Manufacturing Subdivision of Machinery and Allied Products Industry may establish legal obligation making payment of approved Code Authority assessments for Code Administration mandatory, and that if such assessments are not paid within reasonable time it may institute legal proceedings therefor, this Subdivision has submitted and respectfully requested approval of an amendment whereby these purposes may be accomplished.

The Assistant Deputy Administrator in his final report to me on said amendment to said Supplemental Code having found as herein set forth and on the basis of all the proceedings in this matter:

I find that:

(a) The amendment to said Supplemental Code and the Supplemental Code as amended are well designed to promote the policies and purposes of Title I of the National Industrial Recovery Act, including the removal of obstructions to the free flow of interstate and foreign commerce which tend to diminish the amount thereof, and will provide for the general welfare by promoting the organization of industry for the purpose of cooperative action among trade groups, by inducing and maintaining united action of labor and management under adequate governmental sanction and supervision, by eliminating unfair competitive practices, by promoting the fullest possible utilization of the present productive capacity of industries, by avoiding undue restriction of production (except as may be temporarily required), by increasing the consumption of industrial and agricultural products through increasing purchasing power, by reducing and relieving unemployment, by improving standards of labor, and by otherwise rehabilitating industry.

(b) The Supplemental Code as amended complies in all respects with the pertinent provisions of said Title of said Act, including without limitation Subsection (a) of Section 3, Subsection (a) of Section 7 and Subsection (b) of Section 10 thereof.

(c) The Hoisting Engine Manufacturers Association was and is a trade association truly representative of the aforesaid Subdivision and that said association imposed and imposes no inequitable restrictions on admission to membership therein and has applied for or consents to this amendment.

(d) The amendment and the Supplemental Code as amended are not designed to and will not permit monopolies or monopolistic practices.

(e) The amendment and the Supplemental Code as amended are not designed to and will not eliminate or oppress small enterprises and will not operate to discriminate against them.

(f) Those engaged in other steps of the economic process have not been deprived of the right to be heard prior to approval of said amendment.

For these reasons, therefore, I have approved this amendment to become effective fifteen (15) days from the date of the Order unless good cause to the contrary is shown to me before that time and I issue a subsequent order to that effect.

Respectfully,

HUGH S. JOHNSON,  
*Administrator.*

AUGUST 18, 1934.

## AMENDMENT TO SUPPLEMENTARY CODE OF FAIR COMPETITION FOR THE HOISTING ENGINE MANUFACTURING INDUSTRY, A DIVISION OF THE MACHINERY AND ALLIED PRODUCTS INDUSTRY

The following is an Amendment to supersede section (d) of Article V—Administration, of the Supplemental Code of Fair Competition for the Hoisting Engine Manufacturing Industry:

(d) 1. It being found necessary, in order to support the administration of this Supplemental Code and to maintain the standards of fair competition established hereunder and to effectuate the policy of the Act, the Code Authority is authorized:

(aa) To incur such reasonable obligations as are necessary and proper for the foregoing purposes, and to meet such obligations out of funds which may be raised as hereinafter provided and which shall be held in trust for the purposes of the Supplemental Code.

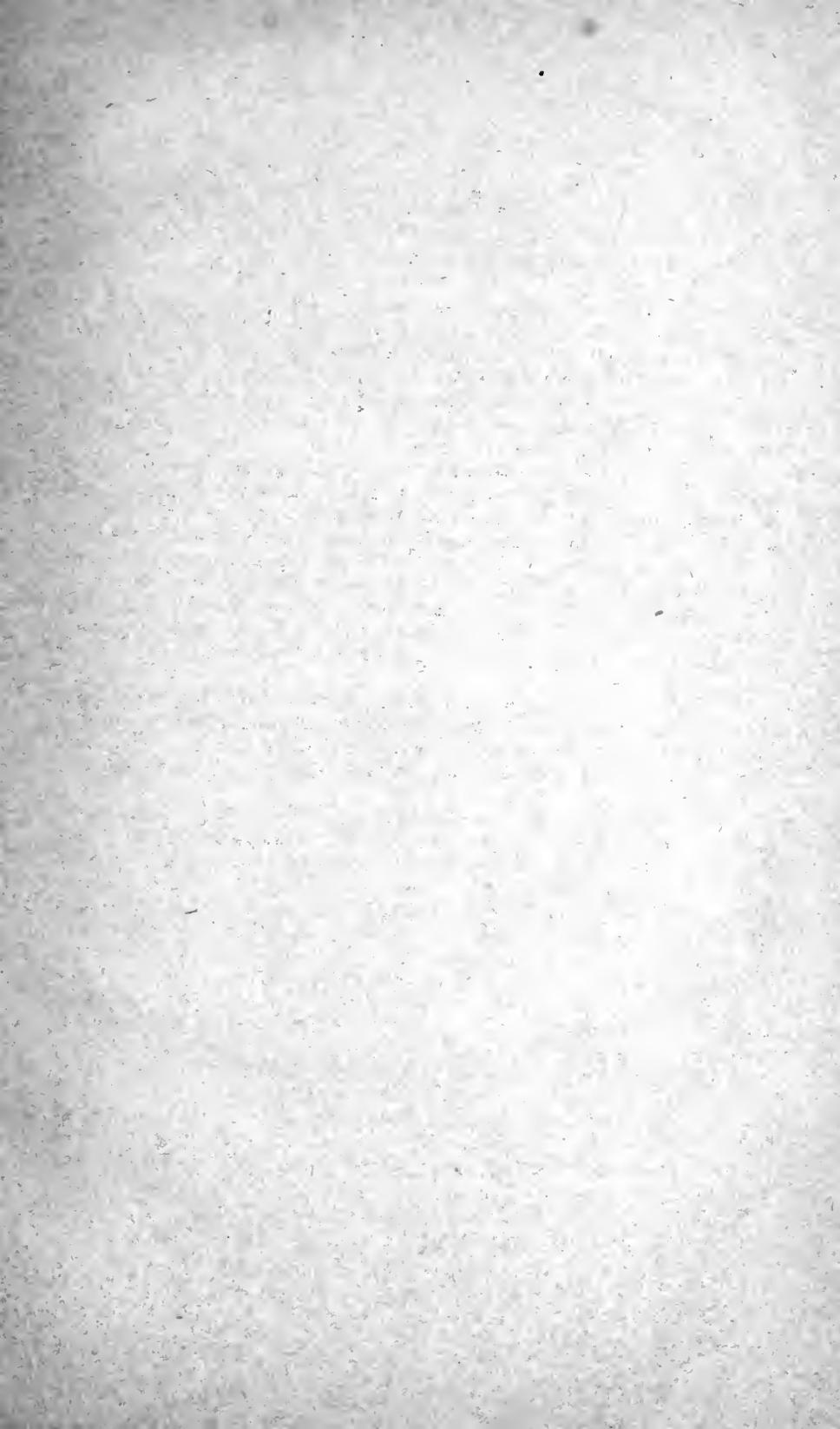
(bb) To submit to the Administrator for his approval, subject to such notice and opportunity to be heard as he may deem necessary, (1) an itemized budget of its estimated expenses for the foregoing purposes, and (2) an equitable basis upon which the funds necessary to support such budget shall be contributed by employers of the Subdivision.

(cc) After the budget and basis of contribution have been approved by the Administrator, to determine and obtain equitable contribution, as above set forth, by all employers of the Subdivision, and to that end, if necessary, to institute legal proceedings therefor in its own name.

2. Each employer of the Subdivision shall pay his or its equitable contribution to the expenses of the maintenance of the Code Authority, determined as hereinabove provided, and subject to rules and regulations pertaining thereto issued by the Administrator. Only employers of the Subdivision complying with the Code and contributing to the expenses of its administration as hereinabove provided, unless duly exempted from making such contributions, shall be entitled to participate in the selection of members of the Code Authority or to receive the benefits of any of its voluntary activities or to make use of any emblem or insignia of the National Recovery Administration.

3. The Code Authority shall neither incur nor pay any obligation in excess of the amount thereof as estimated in its approved budget, except upon approval of the Administrator; and no subsequent budget shall contain any deficiency item for expenditures in excess of prior budget estimates, except those which the Administrator shall have so approved.

Approved Code No. 347S—Amendment No. 1.  
Registry No. 1312-04.



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